



## **Town of Arlington Board of Selectmen**

### **Meeting Agenda**

April 3, 2017

7:15 PM

Selectmen's Chambers, 2nd Floor, Town Hall

1. Organizational Meeting for the Purpose of Electing a Chairman and a Vice Chairman  
Marie A. Krepelka, Board Administrator

#### **PROCLAMATIONS**

2. Proclamation: April is Autism Awareness Month  
Diane M. Mahon, Selectmen

#### **CONSENT AGENDA**

3. Minutes of Meetings: March 27, 2017
4. Request: Contractor/Drainlayer License  
Premier Pavers & Hardscape Co., 8 Oak Meadow Road, Lincoln, MA
5. Request: Contractor/Drainlayer License  
Terra Landscape & Construction, Inc., 138 Fisher Street, Westborough, MA
6. Request: Special (One Day) All Alcohol License, 4/22/17 @ Whittemore Robbins House for a Private Event  
Amanda Cegielski and Christopher Allen
7. For Approval: Sidewalk Cafe Permit Renewals  
Common Ground, 319 Broadway, Bob O'Guin  
Capitol Theatre, 204 Mass. Ave., Richard Fraiman
8. Appointments of New Election Workers: (1) Doreen Curley, 4 Winslow Street, D, Pct. 10; (2) Florence DeFelice, 109 North Union Street, D, Pct. 5; (3) Whitney DeVito, 25 Central Street, U, Pct. 21; (4) Susan Lawlor, 163 Woodside Lane, U, Pct. 1

#### **CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM**

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

## **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

9. Announcement and Endorsement: Treasurer's Office Personnel Change  
Dean Carman

## **FINAL VOTES & COMMENTS**

Articles for Review:

- Article 19 Vote/Appointment of Town Treasurer (tabled from 3/13/17 and 3/27/17 meetings)  
Article 29 Endorsement of CDBG Application (tabled from 3/27/17 meeting)  
Article 30 Bylaw Amendment/Departmental Revolving Fund Bylaw (tabled from 3/27/17 meeting)  
Article 31 Revolving Funds (tabled from 3/27/17 meeting)

## **CORRESPONDENCE RECEIVED**

- Request Parking Restrictions on Henderson Street  
Nikki DePasquale, 19 Henderson Street, via Request/Answer Center
- Request Resident Sticker Parking Only on Cleveland St.  
Cheryl Marceau, Cleveland St. Resident

## **NEW BUSINESS**

## **EXECUTIVE SESSION**

Next Scheduled Meeting of BoS April 10, 2017.



## **Town of Arlington, Massachusetts**

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### **Organizational Meeting for the Purpose of Electing a Chairman and a Vice Chairman**

#### **Summary:**

Marie A. Krepelka, Board Administrator



## **Town of Arlington, Massachusetts**

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### **Proclamation: April is Autism Awareness Month**

#### **Summary:**

Diane M. Mahon, Selectmen

#### **ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	2017_Autism_Awareness_Month.doc	Proclamation

# OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR  
DANIEL J. DUNN, VICE CHAIR  
KEVIN F. GREELEY  
STEVEN M. BYRNE  
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

## PROCLAMATION

**WHEREAS:** Autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

**WHEREAS:** Autism was once thought to be a relatively rare disorder, affecting only one in 10,000 people; and

**WHEREAS:** As more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autistic spectrum, resulting in rates as high as one in 50 children; and

**WHEREAS:** While there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

**WHEREAS:** Autism Speaks and others are spearheading an awareness effort in order to educate parents, elected officials, professionals and the general public about autism and its effects.

**NOW, THEREFORE, BE IT RESOLVED,** that we, the Members of the Board of Selectmen, do hereby proclaim April as AUTISM AWARENESS MONTH in the Town of Arlington, and observe the Town Hall displayed in blue lights for "Light It Up Blue", the week of April 3<sup>rd</sup> in order to increase awareness of autistic spectrum disorders.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SELECTMEN  
OF THE  
TOWN  
OF  
ARLINGTON

A true record.  
ATTEST:

By: \_\_\_\_\_  
Board Administrator



## **Town of Arlington, Massachusetts**

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### **Minutes of Meetings: March 27, 2017**

#### **ATTACHMENTS:**

Type	File Name	Description
▣ Reference Material	3.27.17_draft_minute.docx	draft minutes 3.27.17

TOWN OF ARLINGTON  
BOARD OF SELECTMEN  
Meeting Minutes  
Monday, March 27, 2017  
7:15 PM

Present: Mrs. Mahon, Chair, Mr. Dunn, Vice Chair, Mr. Greeley, Mr. Byrne, and Mr. Curro  
Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Sullivan

**PROCLAMATIONS**

1. Proclamation: Stephen J. Gilligan, Treasurer & Collector of Taxes  
Mrs. Mahon, on behalf of the Board of Selectmen, commended Mr. Gilligan for his hard work serving the public for forty years and congratulated him on his retirement. Mrs. Mahon then read his proclamation – naming March 31, 2017 as Stephen J. Gilligan Day.  
Mr. Gilligan stated that he loved Arlington and that it was a privilege and an honor to serve the Town for so many years. He thanked the Selectmen, Mr. Chapdelaine and Mr. Heim and remarked that retirement was bittersweet. Mr. Gilligan thanked his wife, Nancy, and said they walked in together for the beginning of his term on April Fools' Day in 2006 and they are walking out together on April Fools' Day 2017.

**CONSENT AGENDA**

2. Minutes of Meetings: March 13, 2017  
Mr. Byrne moved approval. SO VOTED (4-0-1)  
Mr. Greeley was absent for this meeting.
3. Request: Special (One Day) Beer & Wine License, 4/2/17 @ Robbins Memorial Town Hall for a Private Event  
Audrey Roth
4. Request: Special (One Day) All Alcohol License, 4/15/17 @ Whittemore Robbins House for a Private Event  
Francis McWeeny
5. Request: Special (One Day) Beer & Wine License, 4/15/17 @ Arlington Center for the Arts Theater, 41 Foster Street for Blues Apocalypse 3.0  
Carol Band
6. Appointments of New Election Workers: (1) Devynn Diggins, 208 Renfrew Street, U, Pct. 14; (2) Dorothea Jacobsen, 54 Medford Street, R, Pct. 7; (3) Lynne Sullivan, 23 Coleman Road, U, Pct. 14  
Mr. Byrne moved approval. SO VOTED (5-0)

## **APPOINTMENTS**

7. Board of Registrar of Voters

William Logan (term to expire 3/31/2018)

Mr. Greeley moved approval.

SO VOTED (5-0)

Mr. Curro disclosed that he was a Democratic Town Committee member and this is a nominee of the committee.

8. Zoning Board of Appeals, Associate Member (term to expire 10/1/2019)

Diane M. Mahon, Chair

Mr. Greeley moved approval.

SO VOTED (5-0)

## **LICENSES & PERMITS**

9. Request: Sidewalk Cafe Permit

Caffe Nero, 311-321 Broadway, Bruce Kidder (Business Representative)

Mr. Kidder represented the Caffe requesting 13 tables and 26 seats in a cordoned space buffered by planters.

Mr. Greeley moved approval subject to all conditions set forth.

SO VOTED (5-0)

## **CITIZENS OPEN FORUM**

There were no matters presented for consideration of the Board.

## **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

10. For Approval: Kurt Brown Memorial 5K Road Race 4/30/17

Craig McDonnell

Mr. Craig requested a date change to May 21, 2017 for the memorial event. The Selectmen requested that Mr. Chapdelaine coordinate the conditions of the permit. Mr. Dunn stated that the bike path gets very busy during the warmer months and that in the future if he wanted to request this again he should schedule it earlier.

Mr. Dunn moved approval subject to all conditions set forth.

SO VOTED (5-0)

Mr. Chapdelaine pointed out later in the meeting that this date had already been booked and a new date will be re-scheduled.

11. For Approval: World Vision Global 6K For Water 5/7/17

World Vision, Christina Lee

Mr. Dunn stated that the bike path gets very busy during the warmer months and that in the future if he wanted to request this again he should schedule it earlier.

Mr. Greeley moved approval subject to all conditions set forth.

SO VOTED (5-0)



## **FINAL VOTES & COMMENTS**

Articles for Review:

Article 11 BylawAmendment/Residential Construction, Open Excavation, and Demolition Activity  
Regulations: Neighbor Notifications and Meetings

Article 12 BylawAmendment/Residential Construction, Open Excavation, and Demolition Activity  
Regulations: Building Site Maintenance

Article 13 BylawAmendment/Residential Construction, Open Excavation, and Demolition Activity  
Regulations: Abutter and Public Property Protections

Article 14 BylawAmendment/Residential Construction, Open Excavation, and Demolition Activity  
Regulations: Noise Abatement

Article 17 BylawAmendment/Regulation of Plastic Bags

Article 19 Vote/Appointment of Town Treasurer (tabled from 3/13/17 meeting)

Article 26 Acceptance of Legislation/Establishment of a Parking Benefits District

Article 29 Endorsement of CDBGApplication

Article 30 BylawAmendment/Departmental Revolving Fund Bylaw

Article 31 Revolving Funds

Article 59 Resolution/Sanctuary Town (tabled from 3/13/17 meeting)

Attorney Heim requested the Selectmen to table #19,#29,#30 and #31 until the 4/3/17 meeting. The Selectmen agreed unanimously to table those articles.

Mr. Byrne moved approval of the comments for the remainder of the articles. SO VOTED (5-0)

## **CORRESPONDENCE RECEIVED**

Requesting Reduction to Traffic on Alfred Road and Lake Street  
Tom and Romy Wilhelm with Alfred Road Residents

Request Removal of Parking Prohibition on Mystic Street  
Paul Schlichtman, 47 Mystic Street

Mr. Curro moved receipt of correspondence and referred them to the Town Manager.

SO VOTED (5-0)

## **NEW BUSINESS**

Mr. Greeley sent best wishes to Rita Chapdelaine who is at the end of her pregnancy and awaiting the birth of her second child.

Mr. Greeley wished Marie Krepelka well during her medical leave.

Mr. Greeley stated he would be fundraising to replace the white board in the chambers with an award plaque area with a ledge and will come back with a design during this year.

Mr. Byrne congratulated the Arlington High Boys Varsity Hockey team on their win of the Division 1a State Championship.

Mr. Byrne reported feedback from the Parking Implementation and Governance Committee meeting.

1) There are complaints regarding the library parking. The committee will review and work on possible alternatives to improve the parking.

2) There are requests for meters to be installed in the Heights and East business districts but Mr. Byrne stated the committee has no plans to expand meters in these areas at this time. Mr. Byrne stated overall the meter parking program is working out well and offering much better turnover of parking spaces in the center business district.

Mr. Curro reported that Civics Day was a success with great conversations with residents. He thanked the Selectmen Office staff for their work on display boards and set up for the Selectmen area for that day.

Mr. Curro thanked Mrs. Mahon for her hard work as chair over the past year.

Mrs. Mahon thanked her colleagues for electing and helping her be a more effective chair over the last year.

Mrs. Mahon requested that Mr. Chapdelaine light the Town Hall blue for “Light it up Blue” autism awareness for the 1<sup>st</sup> week of April.

Mrs. Mahon requested the future chair hold a combined BoS and School Committee meeting to discuss the Mass. DOR Report recommending consolidated financial resources of Town and School. Mrs. Mahon discussed the projected override date of fiscal year 2021. Mr. Chapdelaine explained that it is an ongoing discussion on whether the override should occur the year it is needed or the year prior to the need. He also explained that there is a discussion on whether to combine or separate the AHS rebuild debt exclusion and the operational override. Mr. Dunn suggested the override timeline may be in 2019 to 2020 but nothing has been decided yet.

Mr. Curro moved to adjourn at 8:25 PM.

SO VOTED (5-0)

A true record attest:

Mary Ann Sullivan  
Selectmen’s Office

Next Scheduled Meeting of BoS April 3, 2017

3/27/17

Agenda Item	Documents Used
1	Proclamation – Selectmen for S. Gilligan Treasurer 3.27.17
2	3.13.17 draft minutes
3	Roth Wedding – Special Alcohol Application Packet 4.2.17
4	McWeeny Anniversary Party – Special Alcohol Application Packet 4.15.17
5	ACA Special Alcohol Application Packet 4.15.17
6	Election Worker Master Records

7	Arlington Democratic Town Committee Nomination W. Logan Meeting Notice
8	Zoning Board of Appeals, Associate Member S. O'Rourke resume
9	Café Nero Sidewalk Café Permit Application 3.17
10	Kurt Brown 5K Race 3.27.17 Application Packet and Report
11	World Vision 6K Race 3.27.17 Application Packet and Report
Final Votes & Comments	Articles for Review: 2017 Annual Town Meeting Draft Votes and Comments Articles 11, 12, 13, 14, 17, 19, 26, 29, 30, 31, 59
Corr. Rec'vd	Alfred Rd. traffic reduction request correspondence Mystic St. parking prohibition sign removal correspondence



## **Town of Arlington, Massachusetts**

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### **Request: Contractor/Drainlayer License**

#### **Summary:**

Premier Pavers & Hardscape Co., 8 Oak Meadow Road, Lincoln, MA

#### **ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	Premier_Pavers____Hardscape.pdf	Engineering recommendation, Town application, Meeting notice



Engineering Division

TOWN OF ARLINGTON  
Department of Public Works  
51 Grove Street  
Arlington, Massachusetts 02476  
*Office (781) 316-3320 Fax (781) 316-3281*

## MEMORANDUM

To: Board of Selectmen  
From: Engineering Division  
Re: Approved Contractor License  
Date: March 22, 2017

Dear Board Members,

Reference is hereby made to an application by Ian Forman of Premier Pavers & Hardscape Co., to be accepted as an Approved Contractor in the Town of Arlington.

Contact information is as follows:

Premier Pavers & Hardscape Co.  
8 Oak Meadow Rd.  
Lincoln, MA 02093  
Phone: 781-257-2242  
Email: [ian@premierpaverco.com](mailto:ian@premierpaverco.com)

Please be aware that the applicant is applying for driveway work only. There were no available reference to check, but Engineering will monitor work product and perform inspections as needed in order to evaluate the contractor moving forward. We recommend approval and issuance of an Approved Contractor and Drainlayer license.

Wayne A. Chouinard, P.E.  
Town Engineer

CC: File



# TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

## APPLICATION FOR TOWN OF ARLINGTON DPW CONTRACTOR LICENSE

**Directions:** Please complete ALL fields below and deliver the completed application to the Department of Public Works Engineering Department at 51 Grove Street for Processing and Submission to the Board of Selectmen. Please also include in your submission a \$75.00 application fee in the form of a check payable to the "Town of Arlington". Any questions regarding this application form or procedure should be directed to the Town of Arlington Engineering Department at 781-316-3386.

### Scope of Work

Please indicate the scope of work you intend to perform as a DPW Approved Contractor in the Town of Arlington (check all that apply):

☐ Water ☐ Sanitary Sewer ☐ Stormwater Drainage ☐ Sewer/Drain Inspection ☒ Driveway Work ☐ Curb/Sidewalk Work

### Applicant Information

Applicant/Firm Name: Premier Pavers & Hardscape Co.  
Select One: ☒ Corporation ☐ Partnership ☐ Proprietorship ☐ Other:  
Street Address: 8 Oak Meadow Rd. City/Town: Lincoln State: Ma.  
Primary Phone: 781 257 2242 E-mail: ian@premierpaverco.com  
Length of Time in Business under the same Firm Name: 18 yr.  
Full Name(s) of Principal(s): Ian Forman  
Primary Contact Person: Same

### Experience/Previous Work

Nature of Typical/Standard Work: Driveway Work  
Have you ever performed this type of work in Arlington: ☒ Yes ☐ No  
If Yes, Please provide Location: 22 Cleveland St. Approximate Date: 11/15/15  
Total Amount of such construction this year: 1  
Total Amount of such construction last year: 0  
Total Amount of such construction next previous year: more than 1

### Municipal References - Please Attach Written Reference Letters

Municipality: \_\_\_\_\_  
Primary Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Municipality: \_\_\_\_\_  
Primary Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Municipality: \_\_\_\_\_  
Primary Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_

### Banking/Financial References - Please Attach Written Reference Letters if Available

Bank Reference: \_\_\_\_\_ Phone: \_\_\_\_\_  
Federal Tax ID or Social Security #: \_\_\_\_\_  
Note to Town Staff: Redact Social Security # before releasing document

Your social security number or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

### Signature/Endorsement

By signing below, I certify that under the penalties of perjury that to the best of my knowledge and belief all information on this application is true and correct. I also certify by signature below that I/we have filed all state tax returns and paid all state taxes as required by law. I also hereby agree to conform in all respects to the conditions governing such license as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen and/or Department of Public Works may establish.

Applicant Signature: \_\_\_\_\_

Date: 3/13/17

Reset Form

Print Form



## OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR  
DANIEL J. DUNN, VICE CHAIR  
KEVIN F. GREELEY  
STEVEN M. BYRNE  
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

March 27, 2017

Ian Forman  
Premier Pavers & Hardscape Co.  
8 Oak Meadow Road  
Lincoln, MA 02093

Dear Mr. Forman:

The Board of Selectmen will be discussing your request for a License to do Drainlaying in the Town of Arlington on Monday, April 3<sup>rd</sup> in the Selectmen's Chambers, Town Hall, 2<sup>nd</sup> Floor. The meeting begins at 7:15 p.m. Although it is not a requirement that you attend the meeting, you are invited to be in attendance.

Very truly yours,  
BOARD OF SELECTMEN

*Marie A. Krepelka*  
Marie A. Krepelka  
Board Administrator

MAK:fr



## **Town of Arlington, Massachusetts**

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### **Request: Contractor/Drainlayer License**

#### **Summary:**

Terra Landscape & Construction, Inc., 138 Fisher Street, Westborough, MA

#### **ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	Terra_Landscape.pdf	Engineering recommendation, Town application, Meeting notice





Engineering Division

TOWN OF ARLINGTON  
Department of Public Works  
51 Grove Street  
Arlington, Massachusetts 02476  
*Office (781) 316-3320 Fax (781) 316-3281*

## MEMORANDUM

To: Board of Selectmen  
From: Engineering Division  
Re: Approved Contractor License  
Date: March 30, 2017

Dear Board Members,

Reference is hereby made to an application by Daniel Ribeiro, of Terra Landscape & Construction, Inc, to be accepted as an Approved Contractor in the Town of Arlington.

Contact information is as follows:

Terra Landscape & Construction, Inc  
138 Fisher Street  
Westborough, MA 01581  
Phone: 978-212-5434  
Email: [contact@terralc.com](mailto:contact@terralc.com)

Upon review of provided references supplied by the contractor, we recommend approval and issuance of an Approved Contractor and Drainlayer license.

Wayne A. Chouinard, P.E.  
Town Engineer

CC: File



# TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

## APPLICATION FOR TOWN OF ARLINGTON DPW CONTRACTOR LICENSE

**Directions:** Please complete ALL fields below and deliver the completed application to the Department of Public Works Engineering Department at 51 Grove Street for Processing and Submission to the Board of Selectmen. Please also include in your submission a \$75.00 application fee in the form of a check payable to the "Town of Arlington". Any questions regarding this application form or procedure should be directed to the Town of Arlington Engineering Department at 781-3116-3386.

### Scope of Work

Please indicate the scope of work you intend to perform as a DPW Approved Contractor in the Town of Arlington (check all that apply):

☒ Water ☒ Sanitary Sewer ☒ Stormwater Drainage ☐ Sewer/Drain Inspection ☒ Driveway Work ☒ Curb/Sidewalk Work

### Applicant Information

Applicant/Firm Name: Terra Landscape & Construction, Inc.

Select One: ☒ Corporation ☐ Partnership ☐ Proprietorship ☐ Other: \_\_\_\_\_

Street Address: 138 Fisher St City/Town: Westborough State: MA

Primary Phone: (978) 212-5434 E-mail: contact@terrainc.com

Length of Time in Business under the same Firm Name: 5 Years

Full Name(s) of Principal(s): Daniel Ribeiro

Primary Contact Person: Francielle Silva

### Experience/Previous Work

Nature of Typical/Standard Work: Water and Sewer Cut & Cap and new system, Drainage system, Sidewalk and Curb work, Driveway and Demolition Permits

Have you ever performed this type of work in Arlington: ☒ Yes ☐ No

If Yes, Please provide Location: 93 Broadway Approximate Date: 12/22/16

Total Amount of such construction this year: \$35,000.00 as of today

Total Amount of such construction last year: \$95,000.00

Total Amount of such construction next previous year: \$280,000.00

### Municipal References - Please Attach Written Reference Letters

Municipality: Newton, MA

Primary Contact Name: DPW - John Daglian (617) 796-1020 Email: jdaglian@newtonma.gov

Municipality: Shrewsbury, MA

Primary Contact Name: Patricia Sheehan - Building Dept - (508) 841-8512 Email: psheehan@shrewsburyma.gov

Municipality: Brookline, MA

Primary Contact Name: Daniel Bennett - Building Dept - (617) 730-2100 Email: dbennett@brookline.ma.gov

### Banking/Financial References - Please Attach Written Reference Letters if Available

Bank Reference: Middlesex Savings Bank Phone: (508) 460-7036

Federal Tax ID or Social Security #: \_\_\_\_\_

Note to Town Staff: Redact Social Security # before releasing document

Your social security number or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

### Signature/Endorsement

By signing below, I certify that under the penalties of perjury that to the best of my knowledge and belief all information on this application is true and correct. I also certify by signature below that I/we have filed all state tax returns and paid all state taxes as required by law. I also hereby agree to conform in all respects to the conditions governing such license as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen and/or Department of Public Works may establish.

Applicant Signature: [Signature] Date: 03/20/2017

Reset Form

Print Form

## OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR  
DANIEL J. DUNN, VICE CHAIR  
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730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

March 30, 2017

Terra Landscape & Construction, Inc.  
138 Fisher Street  
Westborough, MA 01581

Dear Sir:

The Board of Selectmen will be discussing your request for a License to do Drainlaying in the Town of Arlington on Monday, April 3<sup>rd</sup> in the Selectmen's Chambers, Town Hall, 2<sup>nd</sup> Floor. The meeting begins at 7:15 p.m. Although it is not a requirement that you attend the meeting, you are invited to be in attendance.

Very truly yours,  
BOARD OF SELECTMEN

A handwritten signature in cursive script that reads "Marie A. Krepelka".

Marie A. Krepelka  
Board Administrator

MAK:fr



## **Town of Arlington, Massachusetts**

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**Request: Special (One Day) All Alcohol License, 4/22/17 @ Whittemore Robbins House for a Private Event**

**Summary:**

Amanda Cegielski and Christopher Allen

**ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	Cegielski_Wedding.pdf	Special Alcohol License Application



OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Amanda Cegielski and Christopher Allen

Address, phone & e-mail contact information: 395 Somerville Ave. Apt. 2  
Somerville, MA ; 440-567-4929

Name & address of Organization for which license is sought: \_\_\_\_\_

Does this Organization hold nonprofit status under the IRS Code? \_\_\_\_ Yes ☒ No

Name of Responsible Manager of Organization (if different from above):

Sheela McKenna

Address, phone & e-mail contact information: 315 Reed St. Rockland 02370  
781-630-0062 ; sm06081975@gmail.com

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? NO If so, please give date(s) of Special Licenses and/or applications and title of event(s). \_\_\_\_\_

Is this event an annual or regular event? If so, when was the last time this event was held and at what location? NO

24-Hour contact number for Responsible Manager of Alcohol Event date: \_\_\_\_\_

Title of Event: Wedding Ceremony and Reception

Date/time of Event: April 22, 2017 / 3pm-11pm

Location of Event: Whittemore Robbins House

Location/Event Coordinator: Victoria Rose

Method(s) of invitation/publicity for Event: mail

Number of people expected to attend: 50

Expected admission/ticket prices: N/A

Expected prices for food and beverages (alcoholic and non-alcoholic): N/A

Will persons under age 21 be on premises? 1 - age 18

If "yes," please detail plan to prevent access of minors to alcoholic beverages. Tips Certified bartenders will monitor the bar and follow the rules of certification.

Have you consulted with the Department of Police Services about your security plan for the Event?  
yes - see attached

**OFFICE USE ONLY**

*For Police Chief, Operations Commander, or designee:*

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey P. Roteau  
Off. Corey P. Roteau  
Printed name/title

Date 3/30/17

**POLICE COMMENTS:**

Make a note regarding parking in security plan.

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

beer + wine and 1 bottle of Jack Daniels

What types of food and non-alcoholic beverages do you plan to serve at the Event?  
see attached menu

Who will be responsible for serving alcoholic beverages at the Event? Bartenders from Stoked Wood Fired Pizza.

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

Tips Certification



Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

Dylan Steuret 11/28/1993  
Michael S. Fitzgerald 8/15/1980

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: [www.mass.gov/abcc](http://www.mass.gov/abcc)) Mythos Wine Shop

Kappy's Importing and Distributing Co., Inc. Everett, MA

Date of Delivery: 4/22/17  
Alcohol Serving Time (s): 5-9pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

clients will take opened bottles in trunk of car and unopened remainder returned to Kappy's

Date of Pick-Up: 4/24/17

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.) see attached liability insurance and TIPS certificates

Please submit this completed form and filing fee to the Board of Selectmen  
at least 21 days before your Event. Failure to provide complete  
information may delay the processing of your application.

**I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:**

Signature: Christopher Allen

Printed name: Christopher Allen

Printed title & Organization name: Wedding Ceremony and Reception

Email: comradechris@gmail.com

Christopher Allen  
395 Somerville Ave. Apt. 2 Somerville, MA  
440.567.4929  
comradechris@gmail.com

March 29, 2017

**SECURITY PLAN: Wedding Ceremony and Reception at  
the Whittemore Robbins House on April 22, 2017 for  
Christopher Allen and Amanda Cegielski.**

This event is scheduled for Saturday, April 22, 2016 from 3pm-11pm at the Whittemore Robbins House.

A One-Day Special Alcohol License Application has been submitted to the Selectmen's Office.

This is the security plan.

We expect 50 guests. There will be one guest under the age of 21. The menu includes: beer, wine, Jack Daniels, juice, soda and water. Food menu: A variety of Pizzas- Cheese; Buffalo Chicken; BBQ Chicken; Bacon, Sausage, Pepperoni, and Mozzarella; Veggie with Green pepper, red onion, mushroom, mozzarella, pecorino. Meatballs and Roasted stuffed cherry peppers.

Catering at Stoked Wood Fired Pizza will provide the waitstaff and bartending staff. The bartenders are TiPs certified. All rules regarding alcohol beverage service will be followed as understood from TiPs Certification training by the bartenders. Bar service will begin at 5:00pm and end at 9:00pm.

Victoria Rose, Event Coordinator, will be on site to monitor the use of the Whittemore Robbins House. Sheila McKenna, from Catering at Stoked Wood Fired Pizza, will be the responsible manager for this event. Sheila and her staff will manage food service and the bar. All will be responsible for ensuring that the event runs smoothly.

Please advise if there are other items that we need to consider.





On Premise      SSN:      XXX-XX-XXXX  
Issued:      11/24/2015      Expires:      10/13/2018  
ID#:      4135121      D.O.B.:      XX/XX/XXXX

MICHAEL S FITZGERALD  
91 Winthrop St  
Cambridge, MA 02138-4929

For service visit us online at [www.gettips.com](http://www.gettips.com)  
Rabekah Powers, 58096



eTIPS On Premise 3.0      XXX-XX-XXXX  
10/24/2016      SSN:      10/24/2019  
Issued:      4383892      Expires:      XX/XX/XXXX  
ID#:      D.O.B.:

Dylan Stewart  
1572 Commonwealth Ave Apt 5  
Brighton, MA 02135-5006

For service visit us online at [www.gettips.com](http://www.gettips.com)





# CERTIFICATE OF LIABILITY INSURANCE

STOKED1

OP ID: MA

DATE (MM/DD/YYYY)

03/28/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  
Cohen-Miles Insurance Agcy Inc  
375 Concord Ave, Ste 005  
Belmont, MA 02478-3045  
Matt Cohen

Phone: 617-489-1213  
Fax: 617-489-0151

CONTACT NAME: Toirm Miller

PHONE (A/C, No, Ext): 617-945-4071

FAX (A/C, No):

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Norfolk &amp; Dedham Group

23965

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED  
Stoked Pizza Brookline  
Scott Riebling  
1632 Beacon Street  
Brookline, MA 02446

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		R1405045A	03/01/17	03/01/18	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	X		91460483A	01/30/17	01/30/18	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE	X		U1403128A	03/01/17	03/01/18	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N <input type="checkbox"/>	WE143275A	03/01/17	03/01/18	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	<input checked="" type="checkbox"/> Liquor Liability			R1405045A	03/01/17	03/01/18	Liquor L 1M/2M

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Town of Arlington and Whittemore Robbins House are additional insureds.

**CERTIFICATE HOLDER**

Whittemore Robbins House  
Arlington, MA

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Matt Cohen



## Town of Arlington, Massachusetts

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### For Approval: Sidewalk Cafe Permit Renewals

#### Summary:

Common Ground, 319 Broadway, Bob O'Guin  
Capitol Theatre, 204 Mass. Ave., Richard Fraiman

#### ATTACHMENTS:

Type	File Name	Description
□	Reference Material Ref_Mat_4.3.17Sidewalk_Cafe_Renewal.pdf	renewal packets and inspection reports

## INSPECTIONS SUMMARY REPORT-2017 ANNUAL RENEWALS

COMMON GROUND  
CAPITOL THEATRE

The following Departments have **no objections** to the issuance of said license:

- Building      X
- BOH          X
- Planning     X
- ADA          X

The following Departments have **objections** to the issuance of said license:  
(see attached comments)

- Building
- BOH
- Planning
- ADA

**BOARD OF SELECTMEN  
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **MARCH 22, 2017**  
**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 319 Broadway  
Applicant's Name: Bob O'Guin  
D/B/A: Common Ground  
Telephone: 617 783-2071  
Department: Sent Interoffice Mail & E-mail

Date: 3/21/2017

MEETING DATE: April 3, 2017

Departments:

**RE:OUTSIDE FURNITURE LICENSE**

Board of Health  
Building  
Planning  
ADA Compliance

Comments by each Division or Department:

Inspectional Services has no objections to this or any other outdoor furniture permit the BoS wishes to grant. The applicant will need to present plans to this department for building code review prior to furniture being approved or placed. At that time, we can over particulars such as aisle width, distance between chairs/tables and how the new occupant load may affect the establishments bathroom requirements, among other possible issues.

**APPLICANT SIGNATURE SECTION:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Town of Arlington  
Department of Health and Human Services  
Office of the Board of Health  
27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

To: Board of Selectmen  
From: Natasha Waden, Health Compliance Officer  
Date: March 30, 2017  
RE: Café Outdoor Seating Permit Renewals

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Please accept the following as comments from the Office of the Board of Health regarding Permit Renewals for Café Outdoor Seating at Common Ground and Capitol Theater

- The Establishment must prohibit smoking in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or the by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

**BOARD OF SELECTMEN  
RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY MARCH 22, 2017**

Location: 319 Broadway  
Applicant's Name: Bob O'Guin  
D/B/A: Common Ground  
Telephone: 617-783-2071  
Department: Sent Interoffice Mail & E-mail

Date: 3-20-17

---

**MEETING DATE: APRIL 3, 2017**

Departments:

**Re: Sidewalk Café Permit**

Police

Fire

Board of Health

Building

Planning – Ali Carter, Economic Development Coordinator

**Comments by each Division or Department:**

The existing approved outdoor seating for this restaurant consists of 10 tables and 38 seats in a cordoned space separated from the restaurant's façade by a pedestrian travel corridor in excess of nine feet. The outdoor seating area is sufficiently buffered by planters and flexible cordons. The applicant also demonstrates acceptable coverage of \$1,000,000 in general liability insurance.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

---

**Applicant Section:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

# COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431

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MEMP TO: Board of Selectmen  
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

DATE: March 23, 2017

RE: Outside Furniture License

It appears from the attached diagram and a completed survey of the sidewalk in front of **Common Ground, 319 Broadway** that all conditions pertaining to accessibility of sidewalk dining are in compliance with federal and state regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones and at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. Possible obstructions on the sidewalk that could affect compliance that will need to be watched are tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.



# Sidewalk Café Permit Application - Town of Arlington, MA

RECEIVED  
TOWN'S OFFICE  
ARLINGTON, MA 02476  
2017 FEB 28 PM 1:07

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

## (PLEASE TYPE OR PRINT)

Business Name: Common Ground

Length of Storefront (ft): 30'5"

Business Address/Location: 319 Broadway

Width of Sidewalk along Storefront (ft): \*1: ~~22'5"~~ 54' to 96'

Phone Number/Email: 781-728-0600 / CommonGroundPer@arlington.ma.gov

Length of Proposed Sidewalk Café (ft): ~~27'9"~~ 26'-8"

Business Representative's Name: Bob O'Gurn

Width of Proposed Sidewalk Café (ft): \*2: 22'-5"

Name & Address of Building Owner: Patricia Simboli 397 Main St. Woburn MA 01801

\*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

\*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

## Application Submittal Requirements:

1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.

2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:

- No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
- Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
  - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
  - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
  - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
  - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
  - In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
  - Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
  - No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
  - Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
  - Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) Insurance: The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
  - Patrons must wear shoes and shirts at all times.
  - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
  - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
  - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
  - All permit holders shall be required to abide by all federal, state, and local laws.
  - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1<sup>st</sup> through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 2/28, 2017 By: Bob D. O'Keefe Jr.  
(Signature)

(Print Name & Address) Bob D O'Keefe Jr 319 Broadway Arlington MA 02474

#### NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: [www.mass.gov/abcc](http://www.mass.gov/abcc) website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

**SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT**

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Common Ground, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Common Ground, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

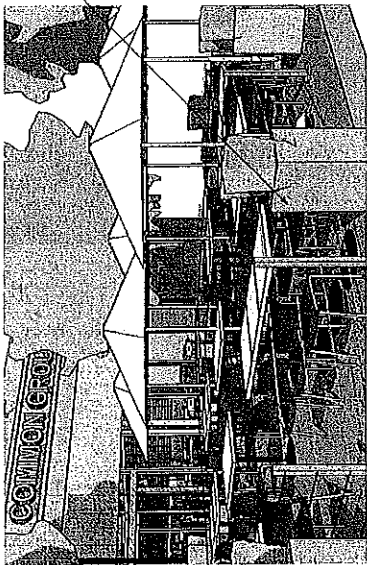
I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

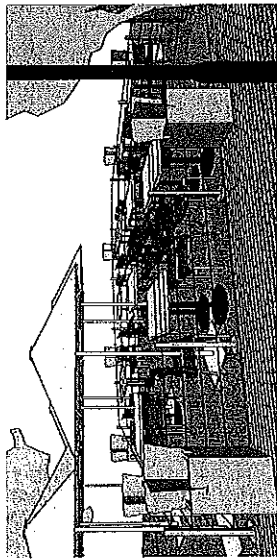
I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

[Signature]  
Signature

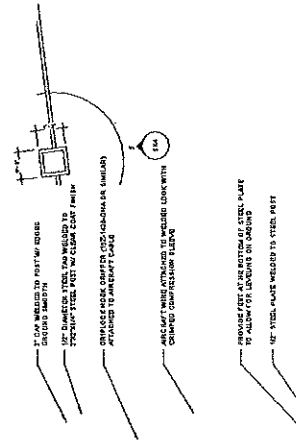
2/28/17  
Date



1 OUTDOOR SEATING SCHEMATIC VIEW



2 OUTDOOR SEATING SCHEMATIC VIEW 2



1" CAP WELDED TO POST W/ CHAIRS  
SHOULD BE 18" HIGH  
UP TURNED STEEL TUB WELDED TO  
POSTING STEEL TUB W/ CHAIRS  
SHOULD BE 18" HIGH  
SHOULD BE 18" HIGH

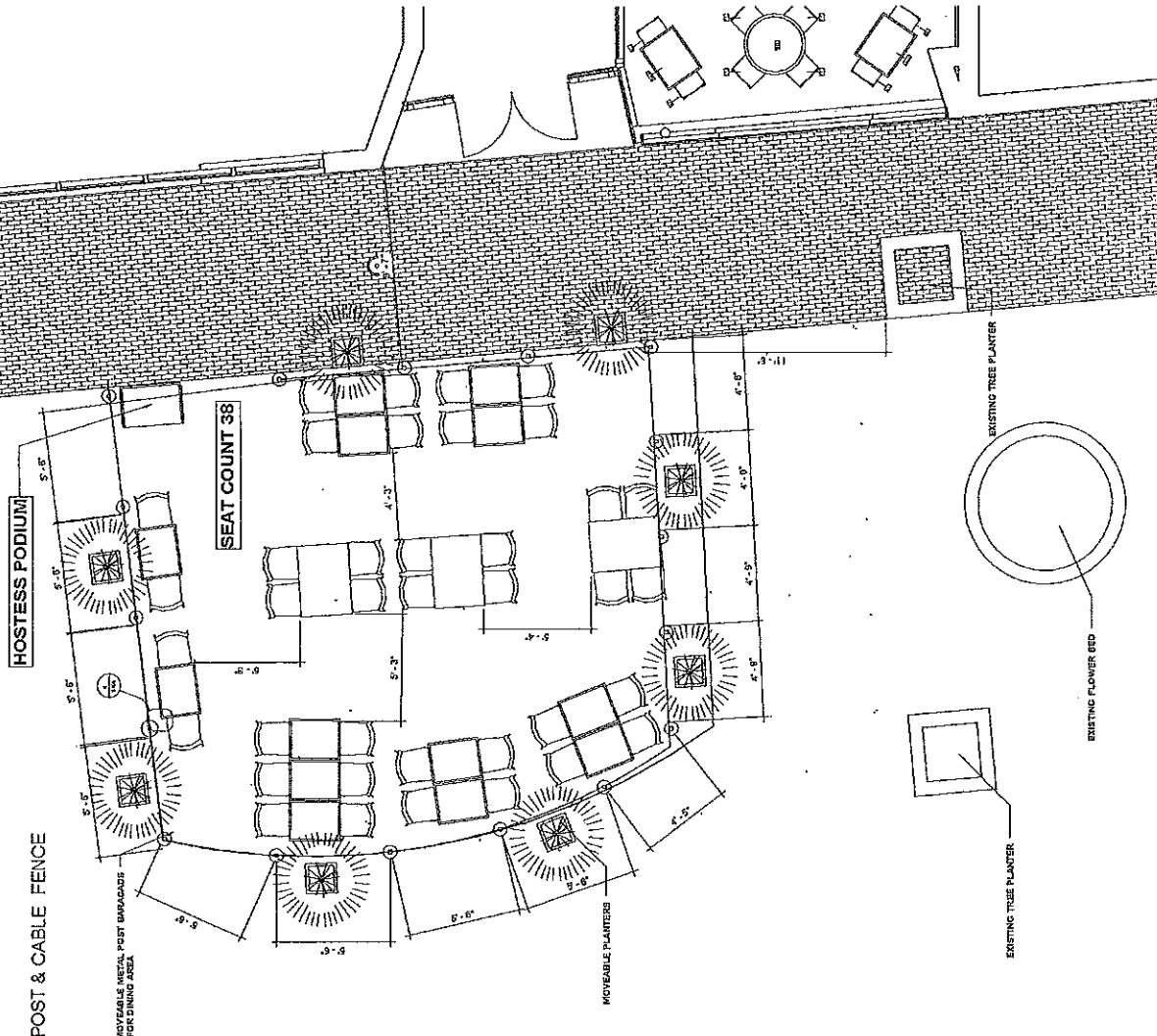
REMOVE FEET AT THE BOTTOM OF STEEL PLANT  
TO ALLOW FOR SEATING OR LANDING  
12" STEEL PLANT WELDED TO STEEL POST



3 POST ELEVATION  
1/2" = 1'-0"

4 Post Elevation View  
1/2" = 1'-0"

5 Outdoor Seating View  
1/2" = 1'-0"



COMMON GROUND ARCHITECTURE  
1111 BROADWAY ST.  
ARLINGTON, MA 02474  
TEL: 617.452.1111  
WWW.COMONGROUNDARCH.COM

PROJECT NO. 1111  
DATE: 11/11/11  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]

PROPOSED OUTDOOR SEATING  
319 BROADWAY ST.  
ARLINGTON, MA 02474  
Common Ground

REVISIONS:  
DATE: 11/11/11  
DESCRIPTION: [Text]

SK4  
SHEET



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/15/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Lynn LeCourt
Malcolm & Parsons Insurance Agency	PHONE (A/C No. Ext): (781) 344-3200
713 Washington Street	FAX (A/C No.): (781) 344-1425
P.O. Box 527	E-MAIL ADDRESS: llc@malcolmandparsons.com
Stoughton MA 02072	INSURER(S) AFFORDING COVERAGE
	INSURER A: Hospitality Mutual Insurance
	INSURER B: NorGUARD
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:
INSURED	NAIC #
Blog Corp, DBA: Common Ground Arlington	
319 Broadway Street	
Arlington MA 02474	

## COVERAGES

CERTIFICATE NUMBER: Master 11/15/16

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			00081780GL	10/7/2016	10/7/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 Hired Non Owned Auto \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			00081780EL	10/7/2016	10/7/2017	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	BLWC709014	10/21/2016	10/21/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			00081782LL	10/7/2016	10/7/2017	Per Occurrence \$1,000,000 Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Tavern; Triton Arlington LLC & ACS Development Corp are Additional insured with regards to General Liability

## CERTIFICATE HOLDER

boboguain@hotmail.com

Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Anne Parsons/JAIME

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**BOARD OF SELECTMEN  
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **MARCH 22, 2017**  
**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 204 Massachusetts Avenue  
Applicant's Name: Richaed Fraiman  
D/B/A: Capitol Theatre  
Telephone: 617 354-4466  
Department: Sent Interoffice Mail & E-mail Date: 3/21/2017

---

MEETING DATE: April 3, 2017

Departments:

**RE:OUTSIDE FURNITURE LICENSE**

Board of Health  
Building  
Planning  
ADA Compliance

Comments by each Division or Department:

Inspectional Services has no objections to this or any other outdoor furniture permit the BoS wishes to grant. The applicant will need to present plans to this department for building code review prior to furniture being approved or placed. At that time, we can over particulars such as aisle width, distance between chairs/tables and how the new occupant load may affect the establishments bathroom requirements, among other possible issues.

---

**APPLICANT SIGNATURE SECTION:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_





Town of Arlington  
Department of Health and Human Services  
Office of the Board of Health  
27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

To: Board of Selectmen  
From: Natasha Waden, Health Compliance Officer  
Date: March 30, 2017  
RE: Café Outdoor Seating Permit Renewals

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Please accept the following as comments from the Office of the Board of Health regarding Permit Renewals for Café Outdoor Seating at Common Ground and Capitol Theater

- The Establishment must prohibit smoking in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or the by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

**BOARD OF SELECTMEN  
RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY MARCH 22, 2017**

Location: 204 Mass Ave  
Applicant's Name: Richard Fraiman  
D/B/A: Capitol Theatre  
Telephone: 617-354-4466  
Department: Sent Interoffice Mail & E-mail

Date: 3-16-17

---

**MEETING DATE: APRIL 3, 2017**

Departments:

**Re: Sidewalk Café Permit**

Police

Fire

Board of Health

Building

Planning – Ali Carter, Economic Development Coordinator

The proposed outdoor seating for this restaurant consists of 4 tables and 8 seats, which would extend 3 feet into the sidewalk directly adjacent to the building's facade. The sidewalk is a total of 10 feet wide, and there is one tree pit and two bike racks on the sidewalk where this seating will be located. The tables and chairs for this establishment should be situated so that the tables are not near the tree pit or bike racks, and that a minimum 3-foot clearance is maintained for pedestrian use at all times.

As long as the applicant agrees to maintain a 3-foot buffer between the seating area and the aforementioned items on the sidewalk, the Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

---

**Applicant Section:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

# COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431

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MEMP TO: Board of Selectmen  
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

DATE: March 23, 2017

RE: Outside Furniture License

It appears from the attached diagram and a completed survey of the sidewalk on Lake Street, next to the **Capital Theatre, 204 Mass. Ave.** that all conditions pertaining to accessibility of sidewalk dining are in compliance with federal and state regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones and at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. Possible obstructions on the sidewalk that could affect compliance that will need to be watched are tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

## Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

### (PLEASE TYPE OR PRINT)

Business Name:

Capital Theatre

Length of Storefront (ft):

29'

Business Address/Location:

204 Mass. Ave.

Width of Sidewalk along Storefront (ft); \*1:

10'

Phone Number/Email:

617.354.4466 rfrainman@frameonetheatres.com

Length of Proposed Sidewalk Café (ft):

29'

Business Representative's Name:

Richard Frainman

Width of Proposed Sidewalk Café (ft); \*2:

3'

Name & Address of Building Owner:

Storey Properties LLC, 220 Mass. Ave, Arlington, MA 02474

\*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

\*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

### Application Submittal Requirements:

- 1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.
- 2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:
  - No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
  - Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
    - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
  - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
  - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
  - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
  - In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
  - Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
  - No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
  - Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
  - Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) Insurance: The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
  - Patrons must wear shoes and shirts at all times.
  - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
  - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
  - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
  - All permit holders shall be required to abide by all federal, state, and local laws.
  - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1<sup>st</sup> through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 3/1, 2017

By: \_\_\_\_\_

(Signature)

(Print Name & Address) \_\_\_\_\_

Richard Fraiman

220 Mass. Ave.

Arlington, MA 02474

#### NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: [www.mass.gov/abcc](http://www.mass.gov/abcc) website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

**SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT**

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Capitol Theatre, a licensed <sup>theatre</sup> restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Capitol Theatre, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

Spencer J. Davis

Signature

3/1/17

Date



Lake Street

29'

10'

3'

0.0'

0.2'

Ice Cream Parlor

DN.

A

15 HT  
-0"

IC.

TELEPHONE

CAPITOL THEATER / 5<sup>th</sup>

title PLAN & SECTION



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/2/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Marvin Kaplan Insurance 689 Fellsway  Medford MA 02155		<b>CONTACT NAME:</b> Commercial Lines <b>PHONE (A/C, No, Ext):</b> (617) 728-9898 <b>FAX (A/C, No):</b> (781) 395-2300 <b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> Fraiman Enterprises Inc. 220 Massachusetts Avenue  Arlington MA 02474		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Nautilus Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

**COVERAGES**

CERTIFICATE NUMBER: CL173214654

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			NN772827	1/20/2017	1/20/2018	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:						\$
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident) \$
							\$
	<b>UMBRELLA LIAB</b>	<input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
	<b>EXCESS LIAB</b>	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: 202-218 Massachusetts Avenue, Arlington, MA 02474

Insurance verification - Please refer to actual policy for all other terms, conditions and exclusions.

**CERTIFICATE HOLDER****CANCELLATION**

Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Nicole Bobocea/NICOLE

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## **Town of Arlington, Massachusetts**

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**Appointments of New Election Workers: (1) Doreen Curley, 4 Winslow Street, D, Pct. 10; (2) Florence DeFelice, 109 North Union Street, D, Pct. 5; (3) Whitney DeVito, 25 Central Street, U, Pct. 21; (4) Susan Lawlor, 163 Woodside Lane, U, Pct.1**

**Summary:**

### **ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	Master_Records.pdf	Master Records

## ELECTION WORKER'S MASTER RECORD

Date: 3/30/17

Check One:      ✓                  New Employee  
\_\_\_\_\_ Change to Existing Employee

Vendor #		Position	INSPECTOR
Name:	DOREEN Curley	Democrat	✓
Address:	4 Winslow St.	Republican	
	# 506	Unenrolled	
Zip Code		Precinct	10
Alpha/ Last Name	02474	Phone #	

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	

## ELECTION WORKER'S MASTER RECORD

Date: 3/27/17

Check One:      ✓      New Employee  
                      \_\_\_\_\_ Change to Existing Employee

Vendor #		Position	INSPECTOR
Name:	FLORENCE DEFELICE	Democrat	✓
Address:	109 NORTH UNION STREET	Republican	
		Unenrolled	
Zip Code	02474	Precinct	5
Alpha/ Last Name		Phone #	

**Position Codes:**

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	

# ELECTION WORKER'S MASTER RECORD

Date: 3/27/17

Check One:            ✓       New Employee  
                                                          Change to Existing Employee

Vendor #		Position	INSPECTOR
Name:	WHITNEY DeVITO	Democrat	
Address:	25 CENTRAL STREET	Republican	
		Unenrolled	✓
Zip Code	08476	Precinct	21
Alpha/ Last Name		Phone #	

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	

# ELECTION WORKER'S MASTER RECORD

Date: 3/30/17

Check One:           ✓      New Employee  
   Change to Existing Employee

Vendor #	_____	Position	<u>INSPECTOR</u>
Name:	<u>SUGAN LAWLER</u>	Democrat	_____
Address:	<u>163 WOODSIDE LANE</u>	Republican	_____
	_____	Unenrolled	<u>✓</u>
Zip Code	<u>02474</u>	Precinct	<u>1</u>
Alpha/ Last Name		Phone #	_____

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	



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## **Town of Arlington, Massachusetts**

### **CITIZENS OPEN FORUM**





## Town of Arlington, Massachusetts

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### Announcement and Endorsement: Treasurer's Office Personnel Change

#### Summary:

Dean Carman

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Selectman_Packet_Treasurer_Collector_Revised_(1).pdf	Reference

## DEPUTY TOWN TREASURER PROMOTION

### DECISION TIMELINE

February 2017 – period for submitting nomination papers for Treasurer ends. Dean Carman is sole candidate on ballot.

February 2017 – Dean Carman and Town Manager Adam Chapdelaine agree to work on transition activities, with stipulation that they will stop if a write-in candidate materializes.

Mid-February 2017 – Dean Carman and Adam Chapdelaine begin meeting to discuss process for hiring a full-time treasury and tax collection professional to run the office.

Late-February 2017 – Adam Chapdelaine recommends current Deputy Town Treasurer / Collector Michael Morse to be the day to day manager of the Treasurer's office. Dean Carman endorses the selection.

March 2017 – Dean Carman meets with Caryn Malloy, Director of HR, to begin process for elevating current Deputy Treasurer / Collector to new role, including updating his job description, proposed compensation and planning a meeting with SEIU. Enhanced duties for Mr. Morse currently being discussed with SEIU include that he will serve as the day-to-day department head, including full direction and supervision of office staff. Mr. Carman will receive an annual salary of \$50,000. With anticipated increases in compensation to staff, the estimated departmental monthly savings will be between \$3,000 and \$5,000.

March 2017 – Dean Carman meets with Michael Morse and discusses opportunity for advancement beginning Monday April 3, 2017. Mr. Morse is excited for possibility of advancement.

Late-March 2017 – Dean Carman, Deputy Town Manager Sandy Pooler, and Town Counsel Doug Heim begin process of drafting a Memorandum of Understanding / Agreement that will govern the collaborative relationship between the Treasurer's office and the Town Manager's office, starting April 3, 2017.

Late-March 2017 – Dean Carman, Caryn Malloy and Sandy Pooler hold meeting with SEIU Representative over the proposed advancement. Preliminary feedback is positive, but there is still work to be done.

April 2017 – Dean Carman appears at Selectman's meeting to discuss this matter.

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## Summary:

# Arlington, Massachusetts; General Obligation

### Primary Credit Analyst:

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## Summary:

# Arlington, Massachusetts; General Obligation

### Credit Profile

US\$26.128 mil GO mun purp loan ser 2016 due 11/01/2036

<i>Long Term Rating</i>	AAA/Stable	New
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Arlington GO

<i>Long Term Rating</i>	AAA/Stable	Affirmed
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## Rationale

S&P Global Ratings assigned its 'AAA' rating and stable outlook to Arlington, Mass.' series 2016 general obligation (GO) municipal purpose loan bonds and affirmed its 'AAA' rating, with a stable outlook, on the town's existing GO debt.

We rate the town higher than the U.S. because we believe the town can maintain better credit characteristics than the nation in a stress scenario based on its predominantly locally derived revenue base and our view that pledged revenue supporting debt service on the bonds is at limited risk of negative sovereign intervention. In 2015, local property taxes generated 74% of revenue, which demonstrated a lack of dependence on central government revenue.

Officials plan to use series 2016 bond proceeds to refinance \$9.2 million of bond anticipation notes and to fund various capital projects. The town's full-faith-and-credit pledge, subject to Proposition 2 1/2 limitations, secures the bonds. Despite limitations imposed by the commonwealth's levy limit law, we did not make a rating distinction for the limited-tax GO pledge due to the town's flexibility under the levy limit.

The rating reflects our opinion of the town's:

- Very strong economy, with access to a broad and diverse metropolitan statistical area (MSA);
- Strong management, with "good" financial policies and practices under our Financial Management Assessment methodology;
- Strong budgetary performance, with operating surpluses in the general fund and at the total governmental fund level in fiscal 2015;
- Very strong budgetary flexibility, with an available fund balance in fiscal 2015 of 27% of operating expenditures;
- Very strong liquidity, with total government available cash at 34.6% of total governmental fund expenditures and 5.8x governmental debt service, and access to external liquidity we consider strong;
- Strong debt and contingent liability position, with debt service carrying charges at 5.9% of expenditures and net direct debt that is 48.8% of total governmental fund revenue, as well as low overall net debt at less than 3% of market value and rapid amortization, with 73.9% of debt scheduled to be retired in 10 years, but a large pension and other postemployment benefit (OPEB) obligation and the lack of a plan to sufficiently address the obligation; and
- Strong institutional framework score.

### **Very strong economy**

We consider Arlington's economy very strong. The town, with an estimated population of 44,346, is located in Middlesex County in the Boston-Cambridge-Newton MSA, which we consider to be broad and diverse. The town has a projected per capita effective buying income of 182% of the national level and per capita market value of \$191,988. Overall, the town's market value grew by 9.6% over the past year to \$8.5 billion in 2016. The county unemployment rate was 4% in 2015.

The town of Arlington is primarily a residential community, located seven miles northwest of downtown Boston. The town's favorable location in the Boston MSA has contributed to the area's desirability, leading to strong property tax base appreciation and low unemployment. About 94% of the assessed value is residential, while 4.4% is commercial. While the town is nearly built out, officials are looking to revise local zoning laws to encourage increased development along Arlington's main commercial corridor. Arlington has continued to experience modest growth in its tax base, which has increased 18.3% since 2012, to \$8.5 billion in fiscal 2016.

### **Strong management**

We view the town's management as strong, with "good" financial policies and practices under our Financial Management Assessment methodology, indicating financial practices exist in most areas, but that governance officials might not formalize or monitor all of them on a regular basis.

Arlington creates its annual budget based on a five-year trend analysis and conservative revenue and expenditure assumptions that typically yield positive operating results. The town follows a monthly budget surveillance schedule that is maintained to address intrayear budget variances with formal reporting to the town's finance committee on a quarterly basis. Arlington appoints oversight committees under its town charter that serve as "checks and balances", including a finance committee, and three trust commissions. The Board of Library Trustees, Board of Trust Fund Commissioners, and the Cemetery Commission each continually reviews the performance of town funds. Arlington has a long-term financial plan that forecasts budget pressures and potential overrides. This financial plan is linked to a comprehensive annually-updated, five-year capital improvement program, which details capital projects and funding sources. The town has a formal investment policy and regularly reports holdings and earnings to the finance committee and also the three trust commissions. Arlington's debt management policy is basic and does not cap the town's debt capacity. However, the town does utilize a well-defined and formal operating reserve policy, which targets a minimum unassigned general fund balance at 5% of expenditures.

### **Strong budgetary performance**

Arlington's budgetary performance is strong in our opinion. The town had operating surpluses of 3.6% of expenditures in the general fund and 6.8% across all governmental funds in fiscal 2015. General fund operating results have been stable over the last three years, with a result of 5.3% in 2014 and a result of 1.7% in 2013.

The 2015 operating result was driven by strong property tax collections, local receipt performance, and health care savings. Management indicates it expects a surplus in 2016 based on local receipts performing better than projected and expenditures coming in under budget. The fiscal 2017 budget totals \$148.7 million and is a 4.6% increase over the prior year.

Property taxes constitute 74% of revenues while intergovernmental aid for 18%. Arlington's budgetary performance

has been strengthened by a \$6.5 million property tax override that affected the levy in 2012. The town intends to maintain structural balance through 2020.

At this time, we expect Arlington's operating performance to remain strong as the town was also able to negotiate changes in its health insurance benefits with its collective bargaining units for budgetary savings. In addition, management has capped town and school budget increases to 3.5% per year, which will allow management to cope with future expenditure growth. Given our view of the town's stable revenue profile, very strong collection rates, and stable credit conditions within Massachusetts, we do not expect budgetary performance to materially weaken through at least 2017. Beyond that, the town has established a fiscal stability fund to hold surplus override tax revenues for those years in which operating deficits are projected. The fund maintains a \$29.6 million balance and is classified as an unassigned fund balance.

### **Very strong budgetary flexibility**

Arlington's budgetary flexibility is very strong, in our view, with an available fund balance in fiscal 2015 of 27% of operating expenditures, or \$36.7 million.

Reserves have improved from an available fund balance of \$19 million in 2012. We expect fund balance to continue to improve as town officials budget conservatively and expect to achieve surpluses in fiscal 2016. The town's policy is to maintain a minimum available fund balance equivalent to 5% of the annual operating budget, which it has far surpassed in recent years.

### **Very strong liquidity**

In our opinion, Arlington's liquidity is very strong, with total government available cash at 34.6% of total governmental fund expenditures and 5.8x governmental debt service in 2015. In our view, the town has strong access to external liquidity if necessary.

The town is a regular market participant that has issued debt frequently over the past several years. Arlington has no variable-rate or direct purchase debt, and invests its cash in highly liquid, conservative investment vehicles. We expect the town's liquidity profile to remain very strong.

### **Strong debt and contingent liability profile**

In our view, Arlington's debt and contingent liability profile is strong. Total governmental fund debt service is 5.9% of total governmental fund expenditures, and net direct debt is 48.8% of total governmental fund revenue. Overall net debt is low at 0.9% of market value, and approximately 73.9% of the direct debt is scheduled to be repaid within 10 years, which are in our view positive credit factors.

Following this bond issue, Arlington will have \$84.2 million of total direct debt. The town received \$5.4 million in reimbursement from the state for school building construction. Town management expects to issue \$30 million in additional debt over the next two years, which we have taken into account in our analysis. The town is expecting several large projects such as the renovation of an elementary and middle school as well as various capital projects.

In our opinion, a credit weakness is Arlington's large pension and OPEB obligation, without a plan in place that we think will sufficiently address the obligation. Arlington's combined required pension and actual OPEB contributions totaled 11.7% of total governmental fund expenditures in 2015. Of that amount, 6.6% represented required



contributions to pension obligations, and 5.1% represented OPEB payments. The town made its full annual required pension contribution in 2015. The funded ratio of the largest pension plan is 52.1%.

The town contributes to the Arlington Contributory Retirement System, a cost-sharing, multiple-employer plan administered by the Arlington Contributory Retirement Board. All employees are members of the system except for public school teachers and certain administrators, who are members of a retirement system the town does not contribute to. Using updated reporting standards in accordance with Governmental Accounting Standards Board Statement Nos. 67 and 68, the town's proportionate share of the net pension liability was about \$119 million, with 52.2% funded as of 2014 based on the assumed rate of return of 7.5%. Arlington has contributed 100% of the annual required contribution to the system in each of the past three years.

Arlington's OPEB plan has an unfunded liability of \$185 million as of Jan. 1, 2014. Arlington established an OPEB trust in 2005, which currently has a balance of \$10.4 million.

### Strong institutional framework

The institutional framework score for Massachusetts municipalities is strong.

## Outlook

The stable outlook reflects S&P Global Ratings' opinion that Arlington will likely maintain very strong reserves, supported by good management practices. We believe the town's participation in the broad and diverse Boston MSA provides additional rating stability. Therefore, we do not expect to change the rating within the outlook's two-year period.

While currently unlikely, if budgetary performance were to deteriorate significantly due to an increase in pension and OPEB costs, leading to diminished reserves, we could lower the rating.

## Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Incorporating GASB 67 And 68: Evaluating Pension/OPEB Obligations Under Standard & Poor's U.S. Local Government GO Criteria, Sept. 2, 2015

### Ratings Detail (As Of October 24, 2016)

#### Arlington GO

Unenhanced Rating

AAA(SPUR)/Stable

Affirmed

Many issues are enhanced by bond insurance.

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at [www.standardandpoors.com](http://www.standardandpoors.com) for further information. Complete ratings information is

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## Criteria | Governments | U.S. Public Finance: Financial Management Assessment

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Assessing Financial Practices

Analytical Framework

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Analytical Process And Supporting Documentation

## Criteria | Governments | U.S. Public Finance:

# Financial Management Assessment

*(Editor's Note: This criteria article originally was published on June 27, 2006. We're republishing this article following our periodic review completed on Oct. 4, 2012.)*

The rigor of a government's financial management practices is an important factor in Standard & Poor's Ratings Services analysis of that government's creditworthiness. Managerial decisions, policies, and practices apply directly to the government's financial position and operations, debt burden, and other key credit factors. A government's ability to implement timely and sound financial and operational decisions in response to economic and fiscal demands is a primary determinant of near-term changes in credit quality. Standard & Poor's will now offer a more transparent assessment of a government's financial practices as an integral part of our general obligation and appropriation credit rating process.

## Assessing Financial Practices

Major elements of governmental financial management include economic analysis, revenue forecasting, risk management, accounting practices, financial strategies, cash and liquidity administration, and debt management. All of these elements have an impact on a government's bottom line, and, as a result, on its credit quality. If a government is unable or unwilling to employ its authority in a timely manner to address events that impact its budget and financial condition, its credit rating can be adversely affected.

Many finance directors and other local government officials take pride in the managerial policies, practices, and structures they have established to ensure efficiency and quality of service, and to promote innovation and security. While credit ratings incorporate financial management as one of many factors, the impact of financial management on the rating may not be readily apparent because other factors may counterbalance, or even outweigh it. Examples of such factors include local economic conditions, debt levels, and statutory limitations. By focusing special attention on the assessment of financial practices, Standard & Poor's will more fully recognize governments' efforts in this important area. In fact, the vast majority of downgrades in recent years can be attributed to financial practices, or lack thereof. (For further information on this trend, see the report, "GO Credit Ratings Are At A Crossroad As Downgrades Increase," RatingsDirect, June 12, 2006).

## Analytical Framework

Standard & Poor's has established an analytical methodology that evaluates established and ongoing management practices and policies in the seven areas most likely to affect credit quality. These areas are:

- Revenue and expenditure assumptions
- Budget amendments and updates
- Long term financial planning
- Long term capital planning

- Investment management policies
- Debt management policies
- Reserve and liquidity policies

The evaluation of each area focuses on best practices and policies that are credit-important in most governments rather than policies that address issues that are fairly unusual or unique to the government. The nature of the policies and practices considered are those that governments may use in some manner regardless of the size or type of government. Issuers that rank well in the evaluation should be those whose policies help reduce the likelihood of credit deterioration, or enable them to benefit more from changing conditions, whether they are economic, budgetary, statutory, or personnel related.

Users of the FMA, however, should also realize its limitations. By focusing on a government's policies and practices, the FMA is not an evaluation of the competency or aptitude of individual finance professionals; nor is it an evaluation of a finance department's ability to handle unique challenges. Moreover, the nature of the entity's governing body, the effectiveness of its governance practices, and issues of public policy pursued by the government are beyond the scope of this analysis.

Although Standard & Poor's considers in its analysis any material information that provides relevant context or influences financial management, it is important to note that this assessment of financial practices is based primarily on the existence and implementation of management practices, and not necessarily the results achieved by such practices. Results—both positive and negative—are assumed to manifest themselves in other visible ways. The purpose of the focus on policies and practices is to evaluate the potential for credit quality to move away from those currently indicated by results.

The following tables detail each of the seven financial practice areas examined by Standard & Poor's.

**Table 1**

<b>Revenue And Expenditure Assumptions</b>	
<b>Are the organization's financial assumptions and projections realistic and well grounded from both long-term and recent trend perspectives?</b>	
<b>Strong</b>	Formal historic trend analysis is performed and updated annually for both revenue and spending; regular effort is made to determine whether revenues or expenditures will deviate from their long-term trends over the next couple of years; evidence of independent revenue forecasting exists (when possible).
<b>Standard</b>	Optimistic assumptions exist that, while supportable, add risk; assumptions are based on recent performance, but little evidence of questioning or validating assumptions exists.
<b>Vulnerable</b>	Assumptions neglect likely shortfalls, expenditure pressures or other pending issues; assumptions exist which enjoy no prudent validation.

**Table 2**

<b>Budget Amendments And Updates</b>	
<b>Are there procedures for reviewing and amending the budget based on updated information and actual performance to ensure fiscal targets are met?</b>	
<b>Strong</b>	At least quarterly budget surveillance is maintained to identify problem areas and enable timely budget adjustments; management exhibits ability and willingness to address necessary intra-year revenue and expenditure changes to meet fiscal targets.
<b>Standard</b>	Semiannual budget reviews exist; management identifies variances between budget and actual performance.
<b>Vulnerable</b>	No formal process exists for regular review and timely updating of budget during the year.



Table 3

Long-Term Financial Planning	
Does management have a long-term financial plan that allows them to identify future revenues and expenditures as well as address upcoming issues that might affect these?	
<b>Strong</b>	A multi-year financial plan exists where future issues are identified and possible solutions are identified, if not implemented; revenue and expenditure decisions are made primarily from a long-term perspective. Structural balance is a clear goal.
<b>Standard</b>	Multi-year projections are done informally; multi-year projections are done, but without discussion of pending issues, so that issues are not addressed; some one-shot actions exist, but the long-term consequences of these actions are acknowledged and communicated.
<b>Vulnerable</b>	No long-term financial planning exists; operational planning is done on a year-to-year (or budget-to-budget) basis; one-shot budget fixes are used with little attention to long-term consequences.

Table 4

Long-Term Capital Planning	
Has the organization created a long-term capital improvement program?	
<b>Strong</b>	A five-year rolling CIP with funding identified for all years exists and is linked to the operating budget and long-term revenue and financing strategies.
<b>Standard</b>	A five-year CIP is done, but is generally limited to projects to be funded from the current budget plus a four-year wish list; some funding for out-year projects is identified, but not all.
<b>Vulnerable</b>	No five-year CIP exists; capital planning is done as needs arise.

Table 5

Investment Management Policies	
Has the organization established policies pertaining to investments, such as the selection of financial institutions for services and transactions; risk assessment; investment objectives; investment maturities and volatility; portfolio diversification; safekeeping and custody; and investment performance reporting, benchmarking, and disclosure?	
<b>Strong</b>	Investment policies exist and are well defined; strong reporting and monitoring mechanisms exist and are functioning.
<b>Standard</b>	Informal or non-published policies exist; policies are widely communicated and followed.
<b>Vulnerable</b>	Absence of informal or non-published policies

Table 6

Debt Management Policies	
Has the organization established policies pertaining to the issuance of debt, such as projects that may or may not be funded with debt (including economic development projects); maturity and debt service structure; use of security and pledges, credit enhancement, and derivatives; and debt refunding guidelines?	
<b>Strong</b>	Debt policies exist and are well defined; strong reporting and monitoring mechanisms exist and are functioning. If swaps are allowed, a formal swap management plan that follows S&P's guidelines (see the DDP) has been adopted.
<b>Standard</b>	Basic policies exist; policies are widely communicated and followed. If swaps are allowed there is a swap management plan in place, but it does not follow S&P's guidelines.
<b>Vulnerable</b>	Absence of basic policies or clear evidence that basic policies are followed. Swaps are allowed but there is no swap management plan in place, and/or there is no local (non-FA) knowledge about the swap.

Table 7

Reserve And Liquidity Policies	
Has the organization established a formalized operating reserve policy, which takes into account the government's cash flow/operating requirements and the historic volatility of revenues and expenditures through economic cycles?	
<b>Strong</b>	A formal operating reserve policy is well defined. Reserve levels are clearly linked to the government's cash flow needs and the historic volatility of revenues and expenditures throughout economic cycles. Management has historically adhered to it.
<b>Standard</b>	A less defined policy exists, which has no actual basis but has been historically adhered to it.
<b>Vulnerable</b>	Absence of basic policies or, if they exist, are not followed.

## Assessment Methodology

Standard & Poor's evaluates and assigns each of the seven areas a qualitative ranking, based on the above framework. In determining the overall assessment, the revenue and expenditure assumptions, budget amendments and updates are given a relatively higher importance; long-term financial planning and liquidity policies are given an average importance; and capital planning, debt policies, and investment policies receive relatively less weight. The difference in degrees of importance is limited, however, so that each factor's contribution to the assessment is meaningful.

Overall assessments are communicated using the following terminology: The term "good", in addition to the terms "strong", "standard", and "vulnerable", is used to further differentiate governments with a mix of strong and standard practices.

### "Strong"

A Financial Management Assessment of 'strong' indicates that practices are strong, well embedded, and likely sustainable. The government maintains most best practices deemed critical to supporting credit quality and these are well embedded in the government's daily operations and practices. Formal policies support many of these activities, adding to the likelihood that these practices will be continued into the future and transcend changes in the operating environment or personnel.

### "Good"

A Financial Management Assessment of 'good' indicates that practices are deemed currently good, but not comprehensive. The government maintains many best practices deemed as critical to supporting credit quality, particularly within the finance department. These practices, however, may not be institutionalized or formalized in policy, may lack detail or long-term elements, or may have little recognition by decision makers outside of the finance department.

### "Standard"

A Financial Management Assessment of 'standard' indicates that the finance department maintains adequate policies in most, but not all key areas. These policies often lack formal detail and institutionalization, and may not include best practices.

## **"Vulnerable"**

A Financial Management Assessment of 'vulnerable' indicates that the government lacks policies in many of the areas deemed most critical to supporting credit quality. The 'vulnerable' designation suggests a high degree of uncertainty regarding a government's ability to effectively adapt to changing conditions that could threaten its long-term financial position.

## **Analytical Process And Supporting Documentation**

To perform its analysis of local government financial practices, Standard & Poor's will rely on documentation provided by the government and discussions with the organization's management. Relevant documents include, but are not limited to, audited financial statements and accompanying notes, budget documents, financial plans, management policy statements, procedure manuals, and periodic reports. Discussions provide an important opportunity for management to elaborate on the factors listed above, as well as answer specific questions, so as to enable Standard & Poor's analysts to assess the factors as thoroughly as possible.

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**McGRAW-HILL**



## **Town of Arlington, Massachusetts**

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### **Articles for Review:**

#### **Summary:**

- Article 19 Vote/Appointment of Town Treasurer (tabled from 3/13/17 and 3/27/17 meetings)
- Article 29 Endorsement of CDBG Application (tabled from 3/27/17 meeting)
- Article 30 Bylaw Amendment/Departmental Revolving Fund Bylaw (tabled from 3/27/17 meeting)
- Article 31 Revolving Funds (tabled from 3/27/17 meeting)



## Town of Arlington, Massachusetts

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### Request Parking Restrictions on Henderson Street

#### Summary:

Nikki DePasquale, 19 Henderson Street, via Request/Answer Center

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	DePasquale_CR_reference.pdf	DePasquale correspondence, Meeting notice

# Service Request Work Order # \_\_\_\_\_

Requested: ☐

Routine Maintenance: ☐

Emergency: ☐

<b>Address 1</b>	
<b>Address 2</b>	
<b>City</b>	
<b>State/Province</b>	
<b>Zip/Postal Code</b>	
<b>Category</b>	Other
<b>Sub Category</b>	Other
<b>Subject</b>	Parking adjustment on Henderson Street
<b>Provide details here</b>	Hello. For a long time this has been an issue on our street and it continues to get worse. Henderson Street being a very narrow street and also the driveway openings are alternating with the driveways across the street if that makes sense. This results in not only people parking to close to driveways BUT on the opposite side of the street, we all have a difficult time getting out of our driveway with out hitting a car that is parked right across the street from your driveway opening. And when you have a car parked on each side of your driveway opening - and they leave you no space...PLUS the car across the street - there is no way to get out or Cars have been hit. Can the town revisit our street and either allow one sided street parking or have spaces where people can't park because they will be at risk of getting hit?

<b>Reference No:</b>	W079048-033017
<b>Request Status:</b>	Initiated
<b>Service Request Type:</b>	Ask a Question
<b>Priority:</b>	Medium
<b>Assigned To:</b>	
<b>Email:</b>	nikki.l.depasquale@gmail.com
<b>Name:</b>	Nikki DePasquale
<b>Phone:</b>	
<b>Address:</b>	19 Henderson st.
<b>City:</b>	Arlington
<b>State/Province:</b>	MA
<b>Zip/Postal Code:</b>	02474
<b>Create Date:</b>	3/30/2017 11:40:10 AM
<b>Update Date:</b>	3/30/2017 11:44:16 AM
<b>Source:</b>	Web

## Employee Responsibility

**Note:** All requests will remain "Open" until you return this form.

Action Taken:	Date:
	Time:
No Action Taken (Reason):	Date:
	Time:

Signature: \_\_\_\_\_

On 3/30/2017 5:33:01 PM, Fran Reidy wrote:  
Attachments: PARKING\_RULES.Traffic\_Rules\_Orders.docx  
Hi,

We are placing your request for restricted parking on Henderson Street on the Selectmen's Agenda for the meeting this Monday evening, April 3rd. It will be in the section titled 'Correspondence Received.' It is not necessary for you to attend the meeting, which begins at 7:15 p.m., unless you wish to.

Please see attached from Arlington's Traffic Rules and Orders. You should be aware that if anyone parks within 3 feet of your driveway, you may call the police to ticket them. If anyone parks directly opposite your driveway so that you can **absolutely** not get out of or into your driveway, you may call the police to ticket them. The police are the enforcers of 'Traffic Rules and Orders.'

Fran Reidy



## PARKING RULES: Article V: Parking

### Section 1.

- (f) Upon any street or highway within ten (10) feet of a fire hydrant.
- (g) In front of any private road or driveway or within three (3) feet on either side thereof, moreover on the opposite side of any driveway in such a manner as to inhibit the entry or departure from same.
- (o) Upon any street or highway within twenty (20) feet of any intersecting way, except alleys.
- (p) Within a crossover.
- (q) Within fifty (50) feet of a traffic signal device provided signs are erected to notify of such regulation or restriction.

### Section 2.

**PARKING LOCATIONS AND PROHIBITIONS** – Parking is prohibited, restricted or limited as to time, space and streets in accordance with a schedule designated as Schedule No. 1 hereto appended to which reference is made and which Schedule 1 is specifically incorporated in this section. No operator shall park a vehicle in the designated prohibited locations or in the restricted locations for a period longer than is designated in Schedule No. 1, except as otherwise provided in the Schedule, or where there is a time limit as to parking.

(SCHEDULE I – Call Officer Rateau)

### Section 5.

**PARKING PROHIBITIONS AT SAFETY ZONES** – No vehicle shall be parked within twenty (20) feet of either end of a Safety Zone or between the Safety Zone and the curb, unless permitted by authorized signs.

### Section 15.

- (a) No person shall park a vehicle for a period of time longer than one hour, between the hours of 8:00 A.M. and 6:00 P.M. on all week days on any of the streets or parts of the streets herein designated by this Section or as may hereafter be fixed by the Board of Selectmen on any day. This restriction shall not apply on Sundays or during the hours of legal holidays during which business establishments are required by law to remain closed.



## **Town of Arlington, Massachusetts**

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### **Request Resident Sticker Parking Only on Cleveland St.**

#### **Summary:**

Cheryl Marceau, Cleveland St. Resident

#### **ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	Corr._Recvd_Cleveland_St..docx	Cleveland St. Request Parking Sticker

Message submitted from the <Town of Arlington> website.

**Site Visitor Name:** Cheryl Marceau

**Site Visitor Email:** marceauc@earthlink.net

My neighbors and I on Cleveland St. are at our wits' end with people parking way too close to our driveways or (today for example) sticking well out into our driveways. At the same time, shopkeepers are frustrated because customers say there is nowhere to park. I know a lot of commuters park in front of my house and get on a bus to somewhere else.

I have an idea that might help on multiple fronts. Mark the parking spaces on Cleveland, Marathon, Winter, and other nearby streets the way spaces are marked on Mass Ave. This ensures that drivers leave room between driveways for one other car. Then institute a 2-hour parking limit (8 a.m.-6 p.m. except Sundays), with exceptions for residents abutting the parking spaces. We could have stickers. Finally, if it helps from an enforcement perspective, put meters in these spaces to prevent commuters at least from taking a space all day.

I know of workers in these shops who are mobility impaired, and maybe they could provide documentation in exchange for a sticker. For some reason at least one such person is unable to get a handicapped parking tag.

I'd like to help the businesses here, but I'd also like to stop the day-long commuter parking close to retail businesses, and I'd like to stop people from blocking my driveway. I pay property taxes and should not have to struggle to access my own driveway. My tenants should not have to struggle to access the driveway.

I'd be willing to work with the committee on this if you are interested in discussing further.



## **Town of Arlington, Massachusetts**

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**NEW BUSINESS**



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## **Town of Arlington, Massachusetts**

### **EXECUTIVE SESSION**



## **Town of Arlington, Massachusetts**

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**Next Scheduled Meeting of BoS April 10, 2017.**